

### REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-20, 27 and 28 are pending in the application. Claims 1, 12 and 27 are independent claims. Applicant respectfully traverses the rejections of the current Office Action.

#### Claim Rejections Under 35 U.S.C. § 103

**Claims 1-20 and 27-28** stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Datta, U.S. Patent Application No. 2003/0004998 A1 ("Datta") in view of Ims et al., U.S. Patent No. 7,177,900 B2 ("Ims"). Applicant respectfully traverses the rejection.

#### **Independent claim 1** recites:

A method of communicating between two computing devices, the method comprising:

receiving, by a first computing device, *a request for content* that includes an item cached by the first computing device and another item that is not cached by the first computing device;

sending, by the first computing device to a second computing device, *the request and an identifier associated with the cached item*;

*receiving, by the first computing device from the second computing device, content generated by the second computing device based on the request and the identifier, the identifier being usable by the second computing device to determine content that is not to be included in the generated content, the request being useable by the second computing device to determine content to be included in the generated content*;

combining, by the first computing device, the cached item and the generated content, and

sending, by the first computing device, the combined content to a destination. (Emphasis added.)

The proposed Datta and Ims combination does not suggest at least "sending... the request and an identifier associated with the cached item," "the identifier being usable by the second computing device to determine content that is not to be included in the generated content, the request being useable by the second computing device to determine content to be included in the generated content," as is recited in claim 1. The Applicant provides a more detailed explanation of the Datta and Ims combination in the following.

Datta discloses a dynamic proxy cache 306, see at least in Fig. 3A, that stores static HTML files, HTML fragments, and page layouts. The cache 306 can receive a web page request and can pass the request to a back end monitor 314. The backend monitor 314 generates and sends page layout instructions (along with some content) to the dynamic proxy cache 306. The dynamic proxy cache 306 assembles web page content based on the page layout instructions and responds to the web page request. *(See paragraph [0090] of Datta.)*

Datta at least does not disclose that the cache 306 sends the web page request and "an identifier associated with the cached item," as is recited in claim 1. The Office has looked to Ims to remedy this deficiency of Datta.

Ims discloses that web page requests may be received by an origin server 120. These requests are sent to the origin server 120 via a fragment cache/assembler 110. *(See column 8, lines 47-48, of Ims.)* The fragment cache/assembler 110 is equivalent to the proxy cache 306 of Datta; the origin server 120 is equivalent to the backend monitor 314 of Datta. Therefore, to render claim 1 obvious, the combination of Datta and Ims must show that the fragment cache/assembler 110 sends a "request and an identifier associated with the cached item," as is recited in claim 1. This does not occur in the combined teachings of Datta and Ims.

Ims discloses that requests simply "pass through" the fragment cache/assembler 110." (*See column 8, lines 47-48.*) This disclosure suggests that the Datta proxy cache 306, when combined with the disclosure of Ims, simply allows requests to "pass through." Hence, the combination at least does not suggest sending "the request and an identifier associated with the cached item," as is recited in claim 1. Therefore, as a consequence, the combination also does not suggest "the identifier being usable by the second computing device to determine content that is not to be included in the generated content, the request being useable by the second computing device to determine content to be included in the generated content," as is recited in claim 1.

The Office argues that activities that occur on the origin sever 120 (disclosed by Ims) may be combined with the disclosure of Datta to render claim 1 obvious. (*See Office reference to Ims on page 4 of the current Office Action.*) Even if one of ordinary skill in the art were to make such a combination, the result would not render the subject matter of claim 1 obvious. Instead, the resulting combination would enable the backend monitor 314 to handle Edge Side Includes (ESI) data embedded in content stored on the monitor 314. (*See column 8, lines 60-66 of Ims.*) Such enablement is not related to the claim 1 limitations: "the request and an identifier associated with the cached item," "the identifier being usable by the second computing device to determine content that is not to be included in the generated content, the request being useable by the second computing device to determine content to be included in the generated content."

For at least the reasons stated above, Applicant respectfully requests the Office to reconsider and withdraw the rejection of claim 1. Note, the Applicant has elected, at this juncture, not to address the propriety of the Office's reasoning for combining Datta

in view of Ims, but this should not be construed as an indication that the Applicant agrees with such reasoning.

**Dependent claims 2-11** depend from claim 1. The rejection with regard to these claims should be withdrawn by virtue of the dependency. Moreover, these claims recite features that, when taken together with those of claim 1, are not suggested by the proposed Datta in view of Ims combination.

**Independent claim 12** recites:

A system comprising:

*a proxy server configured to process a request for content having items that are cached, the proxy server being further configured to forward the request along with identifiers associated with the cached items; and*

*a content server configured to dynamically generate content specified in the request from the proxy server based on the request and the identifiers, the dynamically generated content excluding content of the request that relates to the identifiers associated with the cached items, the dynamically generated content including content of the request not excluded by the identifiers, and the dynamically generated content having information for the proxy server to combine the dynamically generated content with the cached items for processing the request. (Emphasis added.)*

The proposed Datta and Ims combination does not suggest at least "a proxy server configured... to forward the request along with identifiers associated with the cached items; and," "the dynamically generated content excluding content of the request that relates to the identifiers associated with the cached items, the dynamically generated content including content of the request not excluded by the identifiers," as is recited in claim 12.

Details concerning the deficiencies of the proposed Datta in view of Ims combination are give hereinabove, and such discussion may be applied to claim 12, as well. The Office is respectfully requested to consider the above discussion.

For at least the reasons stated above, Applicant respectfully requests the Office to reconsider and withdraw the rejection of claim 12.

**Dependent claims 13-20** depend from claim 12. The rejection with regard to these claims should be withdrawn by virtue of the dependency. Moreover, these claims recite features that, when taken together with those of claim 12, are not suggested by the proposed Datta in view of Ims combination.

**Independent claim 27** recites:

A system comprising:  
a proxy server configured to:  
    process a request for content, the proxy server  
    having first items identified in the content that are cached  
    and second items identified in the content that are not  
    cached,  
        *generate a cache key for each of the first items that  
are cached, and*  
        *add the generated cache keys to the request for  
content; and*  
a content server configured to dynamically generate  
content specified in the request from the proxy server based on  
the request and cache keys included with the request, *the  
dynamically generated content excluding content of the request  
that relates the cache keys included with the request, and the  
dynamically generated content including content of the request  
not excluded by the cache keys.* (Emphasis added.)

The proposed Datta and Ims combination does not suggest at least "a proxy server configured to... generate a cache key for each of the first items that are cached, and add the generated cache keys to the request for content; and..." "the dynamically generated content excluding content of the request that relates the cache keys included with the request, and the dynamically generated content including content of the request not excluded by the cache keys," as is recited in claim 27.

Details concerning the deficiencies of the proposed Datta in view of Ims combination are give hereinabove in connection with claim 1, and such discussion may

be applied to claim 27, as well. The Office is respectfully requested to consider the above discussion. In addition, on page 9 of the current Office Action, the Office asserts that Datta discloses generating "a cache key for each of the first items that are cached," and that these "keys" may be used, based on the teachings of Ims, to exclude "content of the request that relates [to] the cache keys," as is recited in claim 27. Applicant respectfully submits that this conclusion is flawed, based at least on the detailed discussion of the Datta and Ims combination provided herein.

For at least the reasons stated above, Applicant respectfully requests the Office to reconsider and withdraw the rejection of claim 27.

**Dependent claim 28** depends from claim 27. The rejection with regard to this claim should be withdrawn by virtue of the dependency. Moreover, this claim recites features that, when taken together with those of claim 27, are not suggested by the proposed Datta in view of Ims combination.

Conclusion

In accordance with the foregoing remarks, Applicant believes that the pending claims are allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney at the provided email address.

Respectfully Submitted,

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By: /Tim R. Wyckoff/  
David S. Lee  
Reg. No. 38,222

Tim R. Wyckoff  
Reg. No. 46,175  
Email: wyc\_law@live.com